IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 26266 of 2006

DATED: 19.1.2007

Between:

B.Subramanyam petitioner

And

The District Collector/ Executive Director
A.P. State Housing Corporation Ltd,
Kadapa and another Respondents

THE HON'BLE SRI JUSTICE N.V.RAMANA

WRIT PETITION NO. 26266 OF 2006

ORAL ORDER:

The present writ petition is filed questioning the proceedings dated 29.11.2006 transferring the petitioner from Duvvur to Badvel as illegal and arbitrary.

The case of the petitioner is that he is working as Assistant Engineer in the respondent corporation and posted at Duvvur Mandal, Kadapa and that he has been frequently transferred from one place to another causing much inconvenience and hardships. It is alleged that due to political pressures, within a span of 18 months time he was issued with six transfer orders. Hence, the present writ petition questioning the order dated 29.11.2006 transferring him to Badvel as illegal and arbitrary.

This Court while issuing notices to respondents, by order dated 18.12.2006 granted interim suspension of the impugned proceedings. The respondents filed a counter affidavit along with a vacate stay petition in W.V. M.P. No. 16 of 2007.

In the counter affidavit while denying the allegations made in the writ petition, it is specifically stated that the petitioner is working as Incharge Assistant Engineer and drawing the salary of Technical Work Inspector and that he was not promoted as Assistant Engineer. It is stated that Mr.C.V.Rami Reddy, Assistant Engineer (Housing), Mydukuru went on medical leave and in his place the petitioner was

kept as Incharge of Assistant Engineer, Mydukuru section vide proceedings dated 17.6.2005 and while on leave he expired on 30.6.2005, as such the petitioner was posted as Incharge Assistant Engineer, Mydukur vide proceedings dt 22.8.2005. It is also stated that for implementation of Governmental schemes and for administrative reasons by order dated 4.10.2006 the petitioner was posted to Duvvur and B.Mattam mandals with head quarters at Duvvur. The petitioner made a representation dated 18.10.2006 stating that Duvvur mandal is his native madnal and he is facing political problems in the mandal and requested to post him at Mydukur. Taking into consideration his representation and keeping in view certain complaints received from the beneficiaries and public representatives of Duvvur and B.Mattam mandals the petitioner was transferred from Duvvur to Badvel on administrative grounds by proceedings 25.11.2006 and relieved on 29.11.2006.

Learned Standing Counsel for respondents submitted that the petitioner was kept incharge of Assistant Engineer post and keeping in view his representation and complaints of public representatives he was transferred to Badvel on administrative grounds and the same cannot be termed as illegal order warranting interference of this Court.

In the present case, keeping in view the representation of the petitioner dated 18.10.2006 and in view of the complaints from beneficiaries and public representatives, the petitioner was transferred and posted to Badvel on administrative grounds. It is to be noted that transfer is an incidence of service, and is made keeping in view the administrative exigencies and needs of the organization. This Court normally does not interfere in matter of transfer, unless it is shown that the transfer has been made on *mala fide* grounds or for extraneous reasons. Hence, the contention of the petitioner that the transfer is

causing inconvenience to him, cannot be accepted.

There are no merits in the writ petition warranting interference of this Court. Accordingly, the writ petition is dismissed. No costs.

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N.V.RAMANA,J

DATE: 19.1.2007
TVK